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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/633,077

08/02/2003

Pamela Jamison-Lenz

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3071

7590

11/17/2004

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EXAMINER

HUNNINGS, TRAVIS R

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/633,077

Applicant(s)

JAMISON-LENZ ET AL.

Examiner

Travis R Hunnings

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because the drawing figures are not arranged in numerical order.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: the following elements in the corresponding figures are not described in the specification:

Figure 5A, element 55

Figure 5B, element 84

Figure 6, elements W and WF

Figure 8, elements H and WB

Figure 9, element H

Figure 10, element C

Figure 11, elements E, EA and EB

Figure 12, elements V and SM

Figure 13, elements C, CA and CB

Figure 14, element 112'

Figure 16, element 90

Figure 19, element 240

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Figure 20, element 240CB

Figure 21, elements 143', 148' and 250.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

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The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The disclosure is objected to because of the following informalities: the term "113A" on page 20, line 7, should read "113AA"; the term "124" on page 20, line 14, should read "128".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 9, 10, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantrall (US Patent 5,517,177) in view of Zonn (US Patent 4,264,892).

Regarding claim 1, Cantrall discloses *Portable Security Device* that has the following claimed subject matters:

The claimed card-like member having at least two hinged flaps, said flaps being selectively foldable onto each other from an open position to a closed position is met by the folder material having a centralized flexure that divides it into two distinct halves which naturally flex away from one another (col1 44-67, col2 1-5 and fig. 1);

The claimed power supply means and signal emitting means mounted on said member is met by the electronic circuit being mounted in the folder having a removable three volt lithium battery and a piezo sound unit (col1 44-67, col2 1-5 and fig. 1);

The claimed switch means mounted on said member and characterized by being actuated when said flaps are in said open position is met by the trigger tab being slid between the clip and the battery unit and having the folder automatically flex when the locking tab is disengaged from the slit, thereby pulling the trigger tab out from its position and activating the alarm (col1 44-67, col2 1-29 and fig. 1);

The claimed circuit means including said power supply means and said switch means connected to said signal-emitting means whereby said signal emitting means is activated upon said flaps being opened to said open position is met by the electronic

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circuit being mounted in the folder with the trigger tab being inserted in between the clip and battery unit and the trigger tab being pulled out when the flaps are opened thereby activating the alarm (col1 44-67, col2 1-29 and fig. 1).

However, Cantrall is silent on the claimed spring means connected to said flaps and adapted to bias said flaps to open from said closed position to said opened position. Zonn discloses *Alarm Device* that teaches an alarm device with a particular embodiment that sounds an alarm when two opposing flaps of the invention are allowed to open, the flaps being under spring tension to bias them in the open position (col2 63-68, col3 1-25 and fig. 2 elements 82, 84 and 86). It would be beneficial to have an external spring means for the flaps of the folder disclosed by Cantrall in case the naturally flexing of the material used to construct the folder deteriorated over time, the external spring would ensure a reliable opening of the flaps. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Cantrall according to the teachings of Zonn to include an external spring means to actively open the flaps.

Regarding claim 2, Cantrall discloses the claimed signal emitting means comprising a sound emitting device with the piezo sound unit (col1 44-56).

Regarding claim 9, the claim is interpreted and rejected as claim 1 stated above. The claimed spring means being integral with said card-like member and said hinged

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flaps in interpreted to mean that the spring means are physically attached to flaps, which is clearly disclosed by figure 2 of Zonn.

Regarding claim 10, the claim is interpreted and rejected as claim 1 stated above. The claimed spring means being connected to the opposite-flap facing surfaces is clearly disclosed by figure 2 of Zonn.

Regarding claim 11, the claim is interpreted and rejected as claim 10 stated above. The claimed spring means being connected to the outside-facing surfaces of said hinged flaps is merely a choice of personal preference over placing the spring means on the opposite-flap facing surfaces. As long as the combination of spring and flaps promptly detects the open/close condition of the flaps, it would have been readily recognized by one of ordinary skill in the art to place the spring of Zonn at either outside or opposite side facing flaps which is solely based upon the user's discretion.

Regarding claim 13, the claimed means for temporarily disabling said switch means so as to prevent actuation of said signal emitting means is met by the trigger tab being placed in between the clip and batter to keep the piezo sound from activating (col2 1-5).

7. Claims 3, 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantrall in view of Zonn and further in view of Revell et al. (Revell; US Patent 5,838,237).

Regarding claim 3, Cantrall and Zonn disclose all of the claimed limitations except for the claimed signal emitting means including wireless transmitting means. Revell discloses *Personal Alarm Device* that teaches a personal alarm device that includes a transmitter and an antenna that is operably connected to establish a cellular connection with a remote site (col2 26-35). It would be beneficial to include wireless transmitting means in the device disclosed by Cantrall and Zonn to alert emergency and police services of an alarm condition in order to get needed assistance automatically. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Cantrall and Zonn according to the teachings of Revell to include wireless transmitting means.

Regarding claim 4, the claim is interpreted and rejected as claim 3 stated above. The claimed remote wireless receiving means is met by the personal alarm device establishing a cellular connection with a remote site (col2 26-35).

Regarding claim 5, the claim is interpreted and rejected as claim 3 stated above. The claimed wireless transmitting means and wireless receiving means being pre-

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selected to facilitate wireless communication is met by the controller controlling the transmitter to establish a cellular connection with a remote site (col2 26-35).

8. Claims 6, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantrall in view of Zonn and further in view of Revell and further in view of Schlager et al. (Schlager; US Patent 5,963,130).

Regarding claim 6, Cantrall, Zonn and Revell disclose all the claimed limitations except for the claimed wireless receiving means include sound emitting means. Schlager discloses *Self-Locating Remote Monitoring Systems* that teaches a remote alarm device connected to a monitoring station wirelessly, the monitoring station having alarms to alert users to a change in status of the remote device (abstract and fig. 11 element 332). The examiner takes official notice that it is well known in the art that alarms used in devices such as this can be audible alarms. It would be beneficial to have audible alarms at the remote site to more easily alert those monitoring the condition of the remote device that a change in status has occurred, especially if the person monitoring the device is not looking at a particular visual display, the audible alarm will get their attention. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Cantrall, Zonn and Revell according to the teachings of Schlager to include an audible alarm at the wireless receiving means.

Regarding claim 7, Cantrall, Zonn and Revell disclose all the claimed limitations except for the claimed wireless receiving means including display means. Schlager teaches using displays to display the status of the remote device and also to display the location of the device (abstract and fig. 11 elements 324 and 326). It would be beneficial to include displays to show the status of the remote device, especially for people who might not be able to hear audible alarms, it would also be beneficial to provide display means of the current location of the device so that emergency and police units can locate it more easily. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Cantrall, Zonn and Revell according to the teachings of Schlager to include display means at the wireless receiving means.

Regarding claim 8, the claim is interpreted and rejected as claim 6 stated above.

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cantrall in view of Zonn and further in view of Chang (US Patent 5,604,479).

Regarding claim 12, Cantrall and Zonn disclose all of the claimed limitations except for the claimed signal emitting means including customized recording means and sound emitting means. Chang discloses *Voice Recording and Playback Apparatus, and Alarm System with Voice Recording and Playback Apparatus* that teaches including a voice recording apparatus in an alarm device to record customizable, unique messages

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that are played back when an alarm condition occurs (col1 38-67 and col2 1-23). It would be beneficial to add the recording apparatus to the device to allow the user to record their own alarm notifications that would help them to recognize more quickly what alarm condition has occurred. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Cantrall and Zonn according to the teachings of Chang to include a voice recording apparatus that allows for customized alarm notifications.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reynolds, *Detonating Burglar-Alarm*, US Patent 712,005

Bobo, *Alarm*, US Patent 1,305,190

Davies, *Burglar Alarm*, US Patent 1,545,947

Conemac, *Electronic Door Wedge Alarm*, US Patent 5,008,648

Hermansen et al., *Locking Water Bottle Cage for Bicycles*, 6,059,245

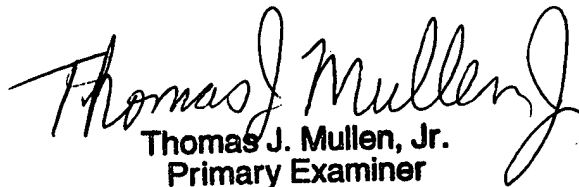
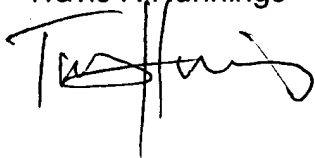
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Travis R. Hunnings



Thomas J. Mullen, Jr.
Primary Examiner
Art Unit 2632

11-14-04